



Project funded by the
European Union



EuroMed Justice III Project

**COMPONENT I: ACCESS TO JUSTICE AND LEGAL AID
WORKING GROUP 1.1.2
Second Meeting**

PREPARATION OF A HANDBOOK

**Handbook which identifies and describes possible approaches and best practices to improve
access to justice and legal aid**

Marseille (FR), 12-14 June 2012

Final Conclusions

The 2nd meeting of the Working Group I on the component “Access to Justice and Legal Aid” of the EuroMed Justice III Project of the European Commission, funded by the European Union, was held on 12, 13 and 14 June 2012 in Marseille.

The participants were members of the delegations of the following Mediterranean countries: Algeria, Israel, Jordan, Lebanon and Tunisia, and one expert from Belgium.

The meeting was opened by Mr Andrés Salcedo Velasco, Team Leader of the EuroMed Justice III Project, who welcomed the participants. The meeting was also closed by Andrés Salcedo Velasco.

A summary of the work carried out since the previous meeting and the main topics suggested for discussion during this meeting were introduced by the Project Team experts and the main short-term expert, Mr Georges Assaf, in charge of this Working Group.

In addition, the Project Team presented an update of the project website and the different tools offered in order to support the intermediate work of the participants/experts/project team in between the different meetings of the working group.

Furthermore, one presentation was made during the meeting, on “Quality management in courts: the importance of timeliness” by Jean-Marie SISCOT, Secretary General, High Council of Justice, Belgium. During this presentation the speaker focused on how to manage timeliness in the courts and the prosecution service. In this respect, he explained, among other specific topics, the meaning of quality related to timeliness; the nature of timeliness; its consequences; how to review the Court procedures; how to improve the process; an approximation to the work developed by the CEPEJ through its Working Group on Quality – Saturn – or the importance of accessibility when we are talking about an effective justice system.

The representatives of the Mediterranean countries took then the floor to make a presentation on the current situation in this field in their respective countries. These presentations were followed by an open debate.

Considering the objectives of this meeting and taking into account the recommendations made during the working sessions and the debate, the participants are of the opinion that this second meeting gave them the opportunity:

- a) To continue the debate and the overall approach to the handbook which identifies and describes possible approaches and best practices to improve access to justice and legal aid.
- b) To follow the methodology agreed during the first meeting and, in this context, to have the opportunity of listening to the different approaches and experiences of the beneficiary countries attending this meeting regarding the topics addressed during this second meeting.
- c) To be updated on the content of the project website and the separate forum (document folder, etc.) specially developed for this working group. On this point, there was general agreement on the convenience of using it as much as possible in between the different meetings for possible contributions and in order to keep in touch with the participants, experts and project team.
- d) To finalise the discussion and agreements on good practices in the field of legal aid started during the first meeting. In this respect, the topics discussed were, among others, legal aid and experts' fees, legal aid and payment of taxes, legal aid and the small claims procedure, legal aid and the financial situation of the claimant, legal aid and the competent authority to receive and to solve the request, legal aid and the forms, language and documents of the request, etc.
- e) To start the discussion on the approaches and best practices related to the topics on the agenda of the present meeting: length of procedures, delays and timeframe for judicial proceedings. In this respect, one reference for the discussion is the European experience in this field through the work developed by the CEPEJ (European Commission for the Efficiency of Justice) and by the ENCJ (European Network of Councils for the Judiciary), also based on the presentation delivered by Mr Siscot. For instance, participants had the opportunity to discuss, among other issues, the convenience of publishing the judiciary/court objectives/strategic plans, the importance of setting timeframes for kind of procedure, for the main stages of a procedure and for case complexity, etc.
- f) To further strengthen cooperation among the Euro-Mediterranean Partners in the field of justice.
- g) To reach some additional agreements on the contents of the handbook that should be produced by this Working Group at the end of its 5 meetings.

Participants also expressed the intention:

- To further reinforce the dialogue and to continue to work together in between the five meetings devoted to this component in order to produce the handbook expected at the end of their work. To this end, they could use the virtual platform on the EuroMed Justice III project website.
- To inform the concerned authorities and institutions in their respective countries of the results of this WG meeting in view of taking advantage of the experience gained during this meeting.

Finally and taking into account the main objective of this working group - the handbook - and considering that the work will be developed during 5 working group meetings, the last one being in April 2013, the participants agreed to continue, if necessary, the discussion on this topic during the next meeting without prejudice of the possibility for them of being in contact with the expert, project team and between themselves through the above-mentioned virtual platform on the project website. In addition, and for the next meeting, the working group will focus - as main topics for discussion on: reduction of workload, simplification of the procedures, oral proceedings, cooperation between judges and Bars to cope with the length of the procedure, and alternative dispute resolution.

The participants have also been informed that the third meeting of this Working Group is planned to take place on 6, 7 and 8 November 2012.

Participants agree with the conclusions of this meeting.

Participants are grateful to the Directorate-General Development and Co-operation- EuropeAid, European Commission, and to the Project Team for the organisation of this meeting.

Marseille, 14 June 2012